# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

WILDEARTH GUARDIANS,	) RETURN OF SERVICE
Plaintiff,	)
V.	)
DAVID BERNHARDT, in his official capacity as U.S. Secretary of the Interior, and UNITED STATES BUREAU OF LAND MANAGEMENT;	) ) ) )
Defendants.	)
Case No. 1:19-CV-00505-LF-SCY	) ) ) 

Pursuant to the Federal Rule of Civil Procedure 4(l), Plaintiff WildEarth Guardians submits proof of service. On June 3, 2019, undersigned counsel mailed copies of the summons and complaint via U.S. Postal Service first class, certified mail, return receipt requested, addressed to the following Defendants and representatives:

U.S. Secretary of Interior David Bernhardt Department of Interior 1849 C Street NW Washington, D.C. 20240

U.S. Bureau of Land Management 1849 C Street NW Washington D.C. 20240

Attorney General William Barr U.S. Department of Justice 950 Pennsylvania, NW Washington D.C. 20530-0001

U.S. Attorney
District of New Mexico
PO Box 607
Albuquerque, NM. 87103

Plaintiff now files in this case its return of service for the Defendants and representatives. Attached hereto as exhibits are the executed summonses, proof of service forms, certified mail receipts retained by Plaintiffs upon their mailing of the summons, and delivery confirmation from the U.S. Postal Service. These exhibits offer proof that service was properly made pursuant to Federal Rule of Civil Procedure 4(i), and Defendants David Bernhardt and U.S. Bureau of Reclamation received Plaintiffs' summons and complaint by June 7, 2019.

Respectfully submitted this 10th day of June, 2019.

/s/ Daniel L. Timmons

Daniel L. Timmons

WildEarth Guardians
516 Alto Street
Santa Fe, NM 87501
(505) 570-7014

dtimmons@wildearthguardians.org

/s/ Samantha Ruscavage-Barz

Samantha Ruscavage-Barz

WildEarth Guardians
516 Alto Street
Santa Fe, NM 87501
(505) 401-4180

sruscavagebarz@wildearthguardians.org

Attorneys for Plaintiff WildEarth Guardians

	for the
Distric	et of New Mexico
WILDEARTH GUARDIANS	) ) )
Plaintiff(s) V.	) Civil Action No. 1:19-CV-00505-LF-SCY
DAVID BERNHARDT, in his official capacity as U.S. Secretary of the Interior, and UNITED STATES BUREAU OF LAND MANAGEMENT	) ) )
Defendant(s)	)

#### **SUMMONS IN A CIVIL ACTION**

 $To: \textit{(Defendant's name and address)} \ \ \text{U.S. Secretary of the Interior David Bernhardt}$ Department of the Interior 1849 C Street, N.W. Washington DC 20240

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney,

whose name and address are:

**Daniel Timmons** Samantha Ruscavage-Barz WildEarth Guardians 301 N. Guadalupe Street, Suite 201 Santa Fe, NM. 87501

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: Monday, June 03, 2019

Karen Hernández de Sepúlveda

Signature of Clerk or Deputy Clerk

CLERK OF COUR

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:19-CV-00505-LF-SCY

#### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

was re	This summons for <i>(name</i> ceived by me on <i>(date)</i>	of individual and title, if any)			
	<u> </u>	ne summons on the individual at	t (place)		
			on (date)	; or	
	☐ I left the summons a	the individual's residence or us	sual place of abode with (name)		
		, a person	of suitable age and discretion who re-	sides tl	nere,
	on (date)	, and mailed a copy to the	ne individual's last known address; or		
	☐ I served the summon	s on (name of individual)			, who is
	designated by law to ac	ecept service of process on behal			
			on (date)	; or	
	☐ I returned the summe	ons unexecuted because			; or
	Other (specify): Purse	uant to Fed.R.Civ.P. 4(i), served	via certified mail, return receipt reque	sted.	
	My fees are \$	for travel and \$	for services, for a total of \$		0.00
	I declare under penalty	of perjury that this information i	is true.		
Date:	June 3, 2019		/s/ Daniel L. Timmons		
			Server's signature		
			Daniel L. Timmons, Attorney for Pla	intiff	
			Printed name and title		
			WildEarth Guardians 301 N. Guadalupe Street, Suite 2 Santa Fe, NM. 87501	01	
		-	Server's address		

Case 1:19-cv-00505-LF-SCY Document 4 Filed 06/10/19 Page 5 of 18 U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) 3178 For delivery information visit our website at www.usps.com WASHINGTON, DC 20240 5981 0500 Postage 50 \$2,80 \$6.00 \$0.00 \$0.00 Certified Fee Postmark 0007 Return Receipt Fee (Endorsement Required) \$0.00 Restricted Delivery Fee (Endorsement Required) 0470 \$2. Total Postage & Fees 06/03/2019 David Bembert, DOI 7012 SHEET NW or PO Box No. 20240 Jon, DC

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Dist	rict of New Mexico
WILDEARTH GUARDIANS	) ) )
Plaintiff(s) V.	) Civil Action No. 1:19-CV-00505-LF-SCY
DAVID BERNHARDT, in his official capacity as U.S Secretary of the Interior, and UNITED STATES BUREAU OF LAND MANAGEMENT	) ) )
Defendant(s)	<u> </u>

#### **SUMMONS IN A CIVIL ACTION**

To: (Defendant's name and address) U.S. Bureau of Land Management 1849 C Street NW Rm. 5665 Washington, DC 20240

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

**Daniel Timmons** 

Samantha Ruscavage-Barz WildEarth Guardians

301 N. Guadalupe Street, Suite 201

Santa Fe, NM. 87501

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: Monday, June 03, 2019

Karen Hernández de Sepúlveda

Signature of Clerk or Deputy Clerk

CLERK OF COUR

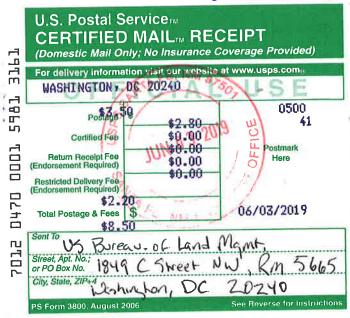
AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:19-CV-00505-LF-SCY

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was re	This summons for <i>(name</i> ceived by me on <i>(date)</i>	of individual and title, if any)			
	<u> </u>	ne summons on the individual at	t (place)		
			on (date)	; or	
	☐ I left the summons a	the individual's residence or us	sual place of abode with (name)		
		, a person	of suitable age and discretion who re-	sides tl	nere,
	on (date)	, and mailed a copy to the	ne individual's last known address; or		
	☐ I served the summon	s on (name of individual)			, who is
	designated by law to ac	ecept service of process on behal			
			on (date)	; or	
	☐ I returned the summe	ons unexecuted because			; or
	Other (specify): Purse	uant to Fed.R.Civ.P. 4(i), served	via certified mail, return receipt reque	sted.	
	My fees are \$	for travel and \$	for services, for a total of \$		0.00
	I declare under penalty	of perjury that this information i	is true.		
Date:	June 3, 2019		/s/ Daniel L. Timmons		
			Server's signature		
			Daniel L. Timmons, Attorney for Pla	intiff	
			Printed name and title		
			WildEarth Guardians 301 N. Guadalupe Street, Suite 2 Santa Fe, NM. 87501	01	
		-	Server's address		



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	for the
Distric	t of New Mexico
WILDEARTH GUARDIANS	) ) )
Plaintiff(s)	) Civil Action No. 1:19-CV-00505-LF-SCY
V.  DAVID BERNHARDT, in his official capacity as U.S. Secretary of the Interior, and UNITED STATES BUREAU OF LAND MANAGEMENT  Defendant(s)	)

#### **SUMMONS IN A CIVIL ACTION**

To: (Defendant's name and address) Attorney General William Barr U.S. Department of Justice 950 Pennsylvania Ave., NW Washington, DC 20530-0001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney,

whose name and address are:

**Daniel Timmons** Samantha Ruscavage-Barz WildEarth Guardians

301 N. Guadalupe Street, Suite 201

Santa Fe, NM. 87501

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Date: Monday, June 03, 2019

Karen Hernández de Sepúlveda

Signature of Clerk or Deputy Clerk

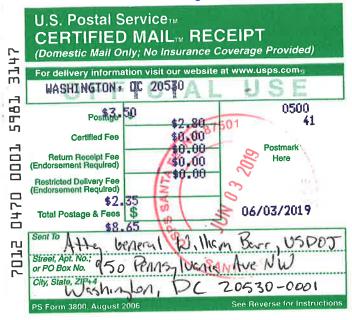
CLERK OF COURT

# Civil Action No. 1:19-CV-00505-LF-SCY

#### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for (name	e of individual and title, if any)			
was re	ceived by me on (date)				
	☐ I personally served the	he summons on the individual at	t (place)		
			on (date)	; or	
	☐ I left the summons a	t the individual's residence or us	sual place of abode with (name)		
		, a person	of suitable age and discretion who re	sides t	here,
	on (date)	, and mailed a copy to the	ne individual's last known address; or		
	☐ I served the summon	as on (name of individual)			, who is
	designated by law to ac	ecept service of process on behal			
	on (date)				
	Other (specify): Purse	uant to Fed.R.Civ.P. 4(i), served	via certified mail, return receipt reque	sted.	
	My fees are \$	for travel and \$	for services, for a total of \$		0.00
	I declare under penalty	of perjury that this information i	is true.		
Date:	June 3, 2019		/s/ Daniel LTimmons,		
			Server's signature		
			Daniel L. Timmons, Attorney for Pla	aintiff	
			Printed name and title		
			WildEarth Guardians		
			301 N. Guadalupe Street, Suite 2 Santa Fe, NM. 87501	.01	
			Server's address		



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	for the
Distri	ct of New Mexico
WILDEARTH GUARDIANS	) ) )
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DAVID BERNHARDT, in his official capacity as U.S. Secretary of the Interior, and UNITED STATES BUREAU OF LAND MANAGEMENT	) ) )
Defendant(s)	

#### **SUMMONS IN A CIVIL ACTION**

To: (Defendant's name and address) U.S. Attorney

District of New Mexico
P.O. Box 607

Albuquerque, New Mexico 87103

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,

whose name and address are:

Daniel Timmons Samantha Ruscavage-Barz WildEarth Guardians

301 N. Guadalupe Street, Suite 201

Santa Fe, NM. 87501

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: Monday, June 03, 2019

Karen Hernández de Sepúlveda

Signature of Clerk or Deputy Clerk

CLERK OF COURT

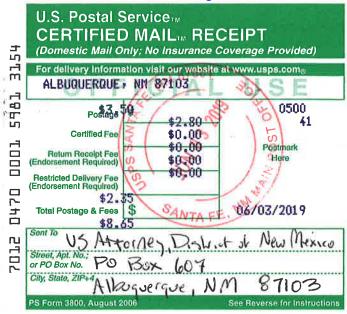
AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

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			on (date)	; or	
	☐ I left the summons a	t the individual's residence or us	sual place of abode with (name)		
		, a person	of suitable age and discretion who re-	sides tl	nere,
	on (date)	, and mailed a copy to the	ne individual's last known address; or	,	
	☐ I served the summon	S On (name of individual)			, who is
	designated by law to ac	ecept service of process on behal			
			on (date)	; or	
	☐ I returned the summons unexecuted because				; or
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	I declare under penalty	of perjury that this information i	s true.		
Date:	June 3, 2019		/s/ Daniel L. Timmons		
			Server's signature		
			Daniel L. Timmons, Attorney for Pla	aintiff	
			Printed name and title		
			WildEarth Guardians		
			301 N. Guadalupe Street, Suite 2 Santa Fe, NM. 87501	<u>'</u> U1	
			Server's address		



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